

Proposed by:	P&Z Commission
P&Z Hearing:	03/12/2015
Attorney Review:	06/18/2015
First Reading:	07/06/2015
Second Reading:	07/16/2015
Vote: 6 Aye 0 Nay 0 Absent	

MUNICIPALITY OF SKAGWAY, ALASKA
ORDINANCE NO. 15-19

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING SECTION 19.02.065(B) OF THE ZONING ORDINANCE, TO PROVIDE A DEFINITION FOR BUNKHOUSE HOUSING

WHEREAS, the Planning & Zoning Commission discussed amending the Planning Commission and Administrative Provisions to define ‘bunkhouse’ housing at their December 11, 2014, regular meeting; and

WHEREAS, the Planning & Zoning Commission indicated that it wants to define what a ‘bunkhouse’ is so that when conditional use permits are granted within the zoning districts that specify ‘bunkhouses’ as a permitted use in the zone the commission will then understand what type of housing is being permitted as a ‘bunkhouse’; and

WHEREAS, the Planning & Zoning Commission would like to see residential development within the Industrial Zoning District is limited to the types of ‘accessory uses’ specified within the Industrial Zoning District for ‘bunkhouses’; and

WHEREAS, the Planning & Zoning Commission held a public hearing on March 12, 2015, and unanimously voted in favor to move the recommendation to public hearing and review by the Borough Assembly.

BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Chapter 2 to add a ‘bunkhouse’ definition to the list of terms defined under Skagway Municipal Code section 19.02.065(B). The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and **bold** indicates text added to the current code as follows:

Section 3. Amendment. SMC 19.02.065 is hereby amended as follows:

Chapter 19.02

ADMINISTRATIVE PROVISIONS

Sections:

19.02.065 Definitions.

A. General Interpretation.

1. The word “lot” includes the word “plot” or “parcel”.
2. The word “used” or “occupied”, as applied to any land or building, shall be construed to include the words “intended, arranged or designed to be used or occupied”.

B. Specific Definitions.

1. “Accessory building” means a detached building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land, and which is located on the same lot as the main building or use. An accessory building shall be considered to be a part of the main building when joined to the main building by a common wall, or when any accessory building and the main building are connected by a breezeway.
2. “Accessory housing structure” means a detached single family dwelling, the use of which is appropriate, subordinate and customarily incidental to that of the main building which must be a residence which has been in place for a minimum of five (5) years. Accessory housing structures for this definition will not include mobile homes or recreation vehicles.
3. “Accessory use” means a use customarily incidental and subordinate to the principal use of the land, building or structure, and located on the same lot or parcel of land.
4. “Agricultural building” means a building used to shelter farm implements, hay, grain, poultry, livestock or other farm produce, in which there is no human habitation and which is not used by the public.
5. “Alley” means a public way designed and intended to provide only a secondary means of access to any property abutting thereon.
6. “Alteration” means any change, addition or modification in the construction, location or use classification.
7. “Apartment House” See “Dwelling, Multiple”.
8. “Area, Building”, “Building area” means the total of areas, taken on a horizontal plane at the main grade level of the principal building, and all accessory buildings, exclusive of steps.
9. “Automobile wrecking” means the dismantling of used motor vehicles or trailers, or the storage or sale of parts from dismantled or partially dismantled, obsolete or wrecked vehicles.
10. “Bed and breakfast establishment” means a dwelling in which commercial lodging is provided by the owner or operator to more than three persons. The term includes boarding, rooming or tourist houses.
11. “Boardinghouse” means a building other than a hotel where lodging, with or without meals, is provided for compensation for three (3) or more persons on other than a day-to-day basis, and which is not open to transient guests.
12. “Building height” means building height shall be calculated as the average height of three sides of the building measured from the

finished grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hipped roof as illustrated in figures 1 and 2. *Roof structures for the housing of equipment required to operate and maintain the building, or other necessary structures such as stairwells, chimneys and flagpoles, may be erected above the prescribed height limit, but no roof structure shall be erected for the purpose of providing additional floor space above the prescribed height limit.*

ROOF TYPES

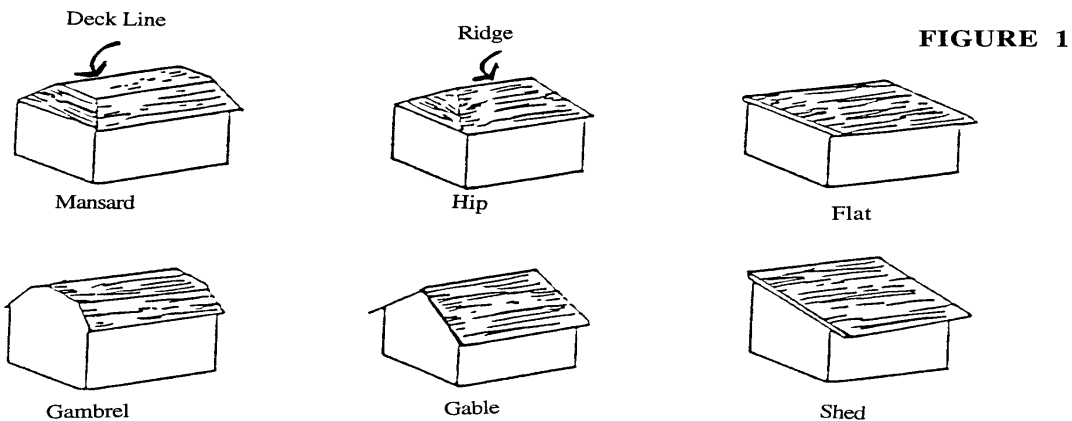


FIGURE 1

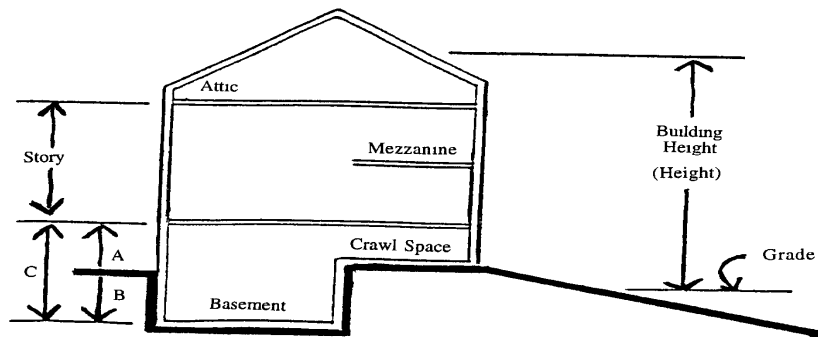


FIGURE 2

When A is Less Than B - C is a Cellar

13. "Building official" means the officer charged with the administration and enforcement of the ordinance codified in this title. The city manager shall act as building official until the city council otherwise designates.
14. "Building, Principal or Main", "Principal or main building" means the building in which is conducted the principal or main use of the lot on which the building is situated.
15. **"Bunkhouse" means a building used as living quarters for people such as tourism workers or construction laborers where**

shower and sanitary facilities are shared by several rooms. A bunkhouse must have a configuration including:

- i. a common-use bathroom with multiple sinks, multiple toilets, and/or multiple showers within one bathroom enclosure; or
- ii. a common-use kitchen with multiple stoves, multiple refrigerators and/or multiple sinks within one kitchen enclosure.

In addition, sleeping rooms must be open barracks-type or semi-private rooms with sleeping accommodations for two or more unrelated occupants.

Bunkhouses are not excused from complying with Title 15 of the Skagway Municipal Code and the International Codes adopted therein.

~~15-~~16. "Campground" means a lot or parcel of land occupied or intended for temporary occupancy by recreational vehicles or tents for travel, recreational or vacation usage for short periods of stay and containing a potable water source and public toilet facilities.


~~16~~ 17. "Congregate Residence" means any building or portion thereof that contains facilities for living, sleeping and sanitation, as required by the IBC and IRC if applicable, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house, but does not include jails, hospitals, nursing homes, hotels or lodging houses.


...

Section 4. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 16th day of July, 2015.


Mark Schaefer, Mayor

ATTEST

Emily A. Deach, Borough Clerk

(SEAL)

